

MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ATI v. ART AND FRAME MART

Case No. 08cv1296 IEG(RBB)

Time Spent: 31 mins.

HON. RUBEN B. BROOKS

CT. DEPUTY VICKY LEE

Rptr. CD 1: 10:24:00-10:51:25

Attorneys

Plaintiffs

Defendants

Thomas Ferrell (present)

David Ricks (present)

PROCEEDINGS: In Chambers x In Court Telephonic

On September 29, 2008, Plaintiff filed an Amended Motion for Order Directed to Art and Frame Mart Corp. and Josef Nazar to Show Cause Why Each Should Not be Held in Contempt And Sanctioned for Failure to Comply With Subpoenas [doc. no. 16]. Defense counsel responded with an opposition [doc. no. 20] and later filed his Amended Memorandum of Points and Authorities in Opposition to Plaintiff's Amended Motion for Order Directed to Art and Frame Mart Corp. and Josef Nazar to Show Cause Why Each Should Not be Held in Contempt and Sanctioned For Failure to Comply With Subpoenas [doc. no. 21] on October 14, 2008. Plaintiff filed its Reply on October 17, 2008 [doc. no. 22].

A motion hearing was held.

For the reasons discussed on the record, the Court finds that Plaintiff has not established that sanctions for contempt, or otherwise, should be awarded at this time. Thus, Plaintiff's motion is DENIED.

DATE: October 27, 2008

IT IS SO ORDERED:


Ruben B. Brooks,

U.S. Magistrate Judge

cc: Judge Gonzalez
All Parties of Record

INITIALS: VL (mq/irc) Deputy